

## THIRTY-FOURTH DAY

(Friday, March 10, 1933)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Hill of Webb.
Adamson.	Hodges.
Aikin.	Holekamp.
Alexander.	Holland.
Alsup.	Holloway.
Anderson	Hoskins.
of Bexar.	Huddleston.
Anderson	Hughes.
of Johnson.	Hunt.
Baker.	Hyder.
Barrett.	Jackson.
Barron.	James.
Beck.	Jefferson.
Bedford.	Johnson
Bourne.	of Anderson.
Burns.	Jones of Atascosa.
Butler.	Jones of Runnels.
Calvert.	Jones of Shelby.
Camp.	Kayton.
Canon.	Kyle of Hays.
Cathey.	Kyle of Palo Pinto.
Chastain.	Laird.
Clayton.	Latham.
Colson.	Lemens.
Coombes.	Leonard.
Cowley.	Lindsey.
Crossley.	Long.
Daniel.	Lotief.
Davidson.	Magee.
Dean.	Mackay.
Devall.	McClain.
Dunlap.	McCullough.
Dunagan.	McDougald.
Duvall.	McGregor.
Dwyer.	Merritt.
Engelhard.	Metcalfe.
Fain.	Mitcham.
Few.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Golson.	Munson.
Good.	Nicholson.
Goodman.	Palmer.
Graves.	Parkhouse.
Greathouse.	Patterson.
Griffith.	Pavlica.
Haag.	Pope.
Hankamer.	Puryear.
Harman.	Ramsey.
Harris.	Ratliff.
Harrison.	Ray.
Hartzog.	Reader.
Head.	Reed of Bowie.
Hester.	Reed of Dallas.
Hicks.	Renfro.
Hill of Brazoria.	Riddle.

Roberts.	Sullivant.
Rogers of Hunt.	Tarwater.
Rogers	Tennyson.
of Ochiltree.	Thomas.
Rollins.	Tillery.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Van Zandt.
Scarborough.	Vaughan.
Scott.	Wagstaff.
Shults.	Walker.
Smith.	Weinert.
Stanfield.	Wells.
Steward.	Winningham.
Stinson.	Wood.
Stovall.	Young.

Absent

West.

Absent—Excused

Bradley.	Mathis.
Caven.	McKee.
Fisher.	Shannon.
Johnson of Dimmit.	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Mathis for today, and tomorrow, on motion of Mr. Colson.

Mr. Shannon for today, on motion of Mr. Savage.

Mr. McDougald for today, on motion of Mr. Parkhouse.

Mr. Caven for today, on motion of Mr. Beck.

Mr. Jefferson for today, on motion of Mr. Barrett.

Mr. McKee for today, on motion of Mr. Wood.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McGregor (by request):

H. B. No. 805, A bill to be entitled "An Act providing that the State Highway Department of Texas shall not re-route or change the location of any designated State highway which passes through any city, town, or vil-

lage in this State in such manner as to pass around such city, town, or village around the business or built-up portion thereof, except where such changes are necessary to eliminate grade crossings over railroad tracks or abrupt curves, in which event such highway should be re-routed as near to its original route as is practical to eliminate such curves; and providing, that where it is proposed to change such route, the Highway Commission of Texas shall first give at least twenty days' notice of proposed change by advertisement, showing the manner of the proposed change through such city, town, or village, and of a hearing to be held to determine such proposed change which shall be posted in three public places in the county in which such city, town, or village is situated, etc.; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Holland:

H. B. No. 806, A bill to be entitled "An Act amending Title 7, Chapter 8, Penal Code of the State of Texas, revision of 1925, by adding thereto an article providing that any person stealing a motor vehicle shall be guilty of a felony, and providing confinement in the penitentiary as a punishment for same not less than one or more than five years, or in the county jail not less than two months, or more than twelve months; and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mrs. Hughes, Mr. Moffett, Mr. Anderson of Johnson, Mr. Kyle of Hays, Mr. Metcalfe, and Mr. Moore:

H. B. No. 807, A bill to be entitled "An Act to provide for conventions to pass on amendments to the Constitution of the United States which may be now, or may be hereafter, proposed by the Congress of the United States, for ratification by conventions in the several States; setting the time of said elections; prescribing the method of nominating delegates; prescribing the manner and method in which delegates shall be elected to attend such convention; providing the form of the ballot to be used at such election; prescribing certain duties of the

public officials of this State with reference to the conduct of such election; and declaring an emergency."

Referred to the Committee on Privileges, Suffrage, and Elections.

## BILLS LAID ON THE TABLE

(By Unanimous Consent)

On motion of Mr. Turlington, House Bill No. 608 was laid on the table:

On motion of Mr. Shults, House Bill No. 554 was laid on the table.

## MOTION TO RE-REFER

Mr. Scarborough moved that House Bill No. 797 be withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Penitentiaries.

The motion prevailed.

Mr. Scarborough moved to reconsider the vote by which the bill was re-referred, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 51; nays, 48.

Mr. Van Zandt raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

The roll was again called on the motion to table, and the vote announced, as follows:

Yeas—50

Alsup.	Harrison.
Beck.	Hartzog.
Bourne.	Head.
Burns.	Holekamp.
Butler.	Holland.
Camp.	Holloway.
Chastain.	Hunt.
Colson.	Jones of Shelby.
Cowley.	Kyle of Hays.
Crossley.	Lindsey.
Daniel.	Lotief.
Davidson.	McCullough.
Dunagan.	Metcalfe.
Dwyer.	Mitcham.
Fain.	Palmer.
Fuchs.	Puryear.
Glass.	Reed of Bowie.
Golson.	Riddle.
Greathouse.	Roberts.

Russell.	Townsend.
Scarborough.	Turlington.
Shults.	Van Zandt.
Tennyson.	Vaughan.
Thomas.	Walker.
Tillery.	Winningham.

## Nays—52

Adamson.	Moore.
Aikin.	Morrison.
Alexander.	Morse.
Baker.	Munson.
Barrett.	Parkhouse.
Barron.	Patterson.
Bedford.	Pavlica.
Calvert.	Ratliff.
Canon.	Ray.
Clayton.	Reader.
Coombes.	Reed of Dallas.
Dean.	Renfro.
Ford.	Rogers of Hunt.
Good.	Rollins.
Griffith.	Ross.
Hankamer.	Savage.
Hester.	Scott.
Hicks.	Smith.
Hill of Brazoria.	Steward.
Hoskins.	Stinson.
Hughes.	Stovall.
James.	Sullivant.
Johnson	Tarwater.
of Anderson.	Wagstaff.
Jones of Runnels.	Weinert.
Mackay.	Wood.
Merritt.	

## Present—Not Voting

Anderson of Johnson.

## Absent

Anderson	Kyle of Palo Pinto.
of Bexar.	Laird.
Cathey.	Latham.
Devall.	Lemens.
Dunlap.	Leonard.
Duvall.	Long.
Engelhard.	Magee.
Few.	McClain.
Goodman.	McGregor.
Graves.	Moffett.
Haag.	Nicholson.
Harman.	Pope.
Harris.	Ramsey.
Hill of Webb.	Rogers
Hodges.	of Ochiltree.
Huddleston.	Stanfield.
Hyder.	Wells.
Jackson.	West.
Jones of Atascosa.	Young.
Kayton.	

## Absent—Excused

Bradley.	Jefferson.
Caven.	Johnson
Fisher.	of Dimmit.

Mathis.	McKee.
McDougald.	Shannon.

The Speaker announced that the motion to table was lost.

Question then recurring on the motion to reconsider, it prevailed by the following vote:

## Yeas—61

Adamson.	Mackay.
Alexander.	McCullough.
Alsup.	McDougald.
Baker.	Moffett.
Bedford.	Moore.
Butler.	Morrison.
Chastain.	Morse.
Clayton.	Munson.
Colson.	Parkhouse.
Coombes.	Ratliff.
Davidson.	Reed of Dallas.
Dean.	Renfro.
Dwyer.	Riddle.
Engelhard.	Rogers of Hunt.
Ford.	Rollins.
Glass.	Ross.
Good.	Savage.
Griffith.	Scott.
Hankamer.	Smith.
Harris.	Steward.
Hill of Brazoria.	Stinson.
Hodges.	Stovall.
Holekamp.	Sullivant.
Hoskins.	Tarwater.
Hughes.	Thomas.
Hunt.	Tillery.
James.	Townsend.
Johnson	Van Zandt.
of Anderson.	Weinert.
Jones of Shelby.	Wood.
Lemens.	Young.

## Nays—47

Aikin.	Hester.
Anderson	Hicks.
of Bexar.	Holland.
Barrett.	Jackson.
Barron.	Jones of Runnels.
Beck.	Kyle of Hays.
Bourne.	Latham.
Burns.	Merritt.
Camp.	Metcalfe.
Cathey.	Mitcham.
Crossley.	Palmer.
Daniel.	Patterson.
Dunagan.	Pavlica.
Fain.	Purveyer.
Few.	Reader.
Fuchs.	Reed of Bowie.
Golson.	Roberts.
Graves.	Rogers
Greathouse.	of Ochiltree.
Harrison.	Russell.
Hartzog.	Scarborough.
Head.	Shults.

Stanfield. Walker.  
Turlington. Winningham.  
Vaughan.

## Present—Not Voting

Anderson Calvert.  
of Johnson.

## Absent

Canon. Leonard.  
Cowley. Lindsey.  
Devall. Long.  
Dunlap. Lotief.  
Duvall. Magee.  
Goodman. McClain.  
Haag. McGregor.  
Harman. Nicholson.  
Hill of Webb. Pope.  
Holloway. Ramsey.  
Huddleston. Ray.  
Hyder. Tennyson.  
Jones of Atascosa. Wagstaff.  
Kayton. Wells.  
Kyle of Palo Pinto. West.  
Laird.

## Absent—Excused

Bradley. Johnson  
Caven. of Dimmit.  
Fisher. Mathis.  
Jefferson. McKee.  
Shannon.

Question then recurring on the motion by Mr. Scarborough to re-refer the bill, it was lost by the following vote:

## Yeas—52

Aikin. Jones of Shelby.  
Alsup. Kyle of Hays.  
Barron. Latham.  
Beck. McClain.  
Bourne. Metcalfe.  
Burns. Mitcham.  
Camp. Palmer.  
Canon. Puryear.  
Cathey. Reader.  
Colson. Reed of Bowie.  
Daniel. Roberts.  
Dunagan. Rogers  
Dwyer. of Ochiltree.  
Fain. Russell.  
Few. Scarborough.  
Fuchs. Shults.  
Glass. Stanfield.  
Graves. Stovall.  
Greathouse. Thomas.  
Griffith. Tillery.  
Harrison. Townsend.  
Hartzog. Turlington.  
Head. Vaughan.  
Holekamp. Walker.  
Holland. Winningham.  
Holloway. Young.  
Hunt.

## Nays—56

Adamson. Mackay.  
Alexander. Merritt.  
Baker. Moffett.  
Barrett. Moore.  
Bedford. Morrison.  
Calvert. Morse.  
Chastain. Munson.  
Clayton. Parkhouse.  
Coombes. Patterson.  
Crossley. Pavlica.  
Davidson. Ratliff.  
Dean. Ray.  
Engelhard. Reed of Dallas.  
Ford. Renfro.  
Golson. Riddle.  
Good. Rogers of Hunt.  
Hankamer. Rollins.  
Harris. Ross.  
Hill of Brazoria. Savage.  
Hodges. Scott.  
Hoskins. Smith.  
Hughes. Steward.  
Jackson. Stinson.  
James. Sullivant.  
Johnson. Tarwater.  
of Anderson. Van Zandt.  
Jones of Runnels. Weinert.  
Lemens. Wood.  
Lindsey.

## Present—Not Voting

Hicks.

## Absent

Anderson of Bexar. Kayton.  
Anderson. Kyle of Palo Pinto.  
of Johnson. Laird.  
Butler. Leonard.  
Cowley. Long.  
Devall. Lotief.  
Dunlap. Magee.  
Duvall. McCullough.  
Goodman. McGregor.  
Haag. Nicholson.  
Harman. Pope.  
Hester. Ramsey.  
Hill of Webb. Tennyson.  
Huddleston. Wagstaff.  
Hyder. Wells.  
Jones of Atascosa. West.

## Absent—Excused

Bradley. Mathis.  
Caven. McDougald.  
Fisher. McKee.  
Jefferson. Shannon.  
Johnson of Dimmit.

## BILL ORDERED PRINTED

Mr. Lindsey moved that House Bill No. 649, reported adversely with a minority favorable report, be printed. The motion prevailed.

(Mr. Graves in the Chair.)

**PROVIDING FOR INVESTIGATION OF INSURANCE COMPANIES**

Mr. Patterson offered the following resolution:

Whereas, The tax records of the State of Texas and the political subdivisions thereof reveal that domestic life insurance companies doing business in this State are not paying their just proportion of the expense of operating the Government, and are paying only a nominal tax in comparison with those engaged in other lines of endeavor; and

Whereas, The annual reports which the said companies have filed with the Board of Insurance Commissioners of the State of Texas reveal that the life insurance companies of the State of Texas have had exceedingly large annual incomes which have been paid annually to the officers, directors, and stockholders of such companies during the very time that they have been paying nominal taxes; and

Whereas, It is currently reported that such payment of excessive salaries and dividends, during the present unusual economic conditions, have continued, that such payments have endangered the sufficiency of the policy reserves and the solvency of some of the companies, and that other companies have been compelled to borrow large sums of money from the Reconstruction Finance Corporation and other concerns, because excessive salary and dividend payments have made it impossible for them to meet their obligations, otherwise; the sums so borrowed have been secured by securities which belong in the policy reserves of the companies, and which the companies have no legal right to pledge other than for the purpose of meeting policy claims; and

Whereas, It appears that the legal restrictions on loans and investments, which life insurance companies may make, are not sufficient, and it also appears that the Board of Insurance Commissioners have practically no power to supervise or regulate the loans and investments of life insurance companies; it is currently reported that a number of said companies have used the policy reserves, which, in truth and fact, belonged to their policyholders, to make un-

safe and unsound loans and investments, thereby endangering the solvency of such companies, and it is currently reported that some of these loans and investments were for the actual benefit of the officers and directors of the companies, and not for the protection of the policyholders; some of the loans and investments involved real estate transactions in which there was no equity over existing loans at the time; others involved common stocks, and some involved third- and fourth-class securities, many of which are already in default; and

Whereas, Said annual reports, filed with the Board of Insurance Commissioners, reveal instances where officers and directors of one company have borrowed large sums of money on insufficient security from another insurance company, and that the officers from a second company have then borrowed equally large sums from the first company; in some instances three companies have been involved in these juggled transactions, but none of the transactions have been for the benefit of the policyholders of the companies involved; and

Whereas, Said annual reports also reveal that many of the companies have made many policy loans and have paid the cash surrender value on many additional policies, and that in so doing, said companies have sold many of their best securities thereby endangering the sufficiency of the securities to cover the reserve on the remaining policies, but this would not have occurred if said companies had not paid unusually excessive salaries and dividends during these troublesome times; and

Whereas, The cash funds of some of these companies have been deposited in banks in which officers and directors of the insurance companies were interested, said deposits being made under circumstances and conditions indicating the transactions were unsafe, and that they were made so that the officers and directors of the insurance companies might benefit thereby without regard for proper banking practices; and

Whereas, By reason of the foregoing, it appears that the interests of policyholders and their beneficiaries in domestic life insurance

companies are not properly safeguarded by existing laws and that a revision of the insurance laws should be undertaken; and

Whereas, Under existing laws the Board of Insurance Commissioners are unable to prevent such unsafe and unsound business practices, and it is expedient that as a basis for legislation, the operations of such life insurance companies should be investigated as fully and promptly as may be, now therefore, be it

Resolved by the House of Representatives of the State of Texas, That a committee be, and the same is hereby, created, consisting of five members, to be appointed by the Speaker of the House of Representatives, and the same hereby is authorized and directed to meet within seven days after the appointment, and to immediately proceed to a thorough investigation into the business and affairs of domestic life insurance companies with references to investments of said companies, the relation of such companies to subsidiary, affiliated, and associated companies or associations, the government and control of said companies, the contractual relations of said companies to their policyholders, the cost of life insurance, the advisability of requiring additional policy reserves and limitations of dividends, the advisability of regulating life insurance premium rates, the expenses of said companies, and any other phase of life insurance business deemed by the committee to be proper; be it further

Resolved, That the said committee be, and it hereby is, authorized and empowered to require and enforce the attendance of witnesses before it, to issue subpoenas, and to require the production of the books, and papers, records, vouchers, and other documents, of any and all life insurance companies, to administer oaths, and to employ stenographers, clerks, and other employes, as may be necessary for the purposes of investigation; be it further

Resolved, That upon the passage of the resolution by the House of Representatives, the Speaker thereof be, and he is hereby, authorized and directed to appoint, as counsel for said committee, an attorney having a license to practice law in the State

of Texas and before the Supreme Court of the State, and that such attorney shall be paid as compensation for his said services such sum as the committee may in its discretion determine, not to exceed \$7.50 per day; be it further

Resolved, That a sum not exceeding \$500 is hereby appropriated out of the Contingent Fund of the House of Representatives of the Forty-third Legislature, for the purpose of providing funds for the purpose of said investigation, and the paying of expenses incident thereto; be it further

Resolved, That the said committee be, and it is, directed to file a report of its investigation, together with its recommendations, with the Speaker of the House of Representatives and the grand jury of Travis County, prior to the last thirty days of the Regular Session of the Legislature.

Signed—Patterson, Colson, Renfro, Russell, Good, Roberts, Reed of Bowie, Lotief, Few, Scarborough, Turlington, Dunagan, Butler, Hartzog, Davidson, Cathey, Huddleston, Palmer, Fain, Jones of Runnels, Winingham, Sullivan, Lindsey, Baker.

The resolution was read second time.

Mr. Van Zandt raised a point of order on further consideration of the resolution, on the ground that, under the Rules of the House, the resolution should be first referred to a committee.

The Speaker overruled the point of order.

Mr. Bedford raised a point of order on further consideration of the resolution at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

On motion of Mr. Lindsey, the time for the consideration of resolutions was extended until the pending resolution is disposed of.

Mr. Lemens moved that the resolution be referred to the Committee on Insurance.

(Speaker in the Chair.)

Mr. Dunagan moved the previous question on the motion to refer, and the resolution, and the main question was ordered.

Question first recurring on the motion by Mr. Lemens, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—80

Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Lemens.
of Johnson.	Leonard.
Barrett.	Mackay.
Bedford.	McGregor.
Bourne.	Merritt.
Calvert.	Metcalf.
Camp.	Moffett.
Chastain.	Moore.
Clayton.	Morse.
Coombes.	Munson.
Cowley.	Parkhouse.
Crossley.	Pavlica.
Dwyer.	Puryear.
Engelhard.	Ratliff.
Fain.	Ray.
Ford.	Reader.
Glass.	Reed of Dallas.
Golson.	Riddle.
Goodman.	Rogers
Graves.	of Ochiltree.
Greathouse.	Rollins.
Hankamer.	Ross.
Harman.	Savage.
Harris.	Scott.
Head.	Shults.
Hicks.	Smith.
Hill of Webb.	Steward.
Hodges.	Stinson.
Holland.	Stovall.
Holloway.	Tarwater.
Hoskins.	Tennyson.
Hughes.	Thomas.
Hyder.	Tillery.
Jackson.	Van Zandt.
James.	Vaughan.
Jefferson.	Weinert.
Johnson	Wells.
of Anderson.	Wood.
Kyle of Hays.	Young.

Nays—41

Adamson.	Haag.
Aikin.	Harrison.
Baker.	Hartzog.
Barron.	Holekamp.
Beck.	Huddleston.
Burns.	Hunt.
Butler.	Jones of Runnels.
Canon.	Lindsey.
Cathey.	Lotief.
Colson.	McClain.
Daniel.	McCullough.
Davidson.	Mitcham.
Dean.	Patterson.
Dunagan.	Pope.
Few.	Renfro.
Good.	Roberts.

Rogers of Hunt.	Turlington.
Russell.	Wagstaff.
Scarborough.	Walker.
Sullivan.	Winningham.
Townsend.	

Present—Not Voting

Jones of Atascosa.

Absent

Anderson	Latham.
of Bexar.	Long.
Devall.	Magee.
Dunlap.	Morrison.
Duvall.	Nicholson.
Fuchs.	Palmer.
Griffith.	Ramsey.
Hester.	Reed of Bowie.
Hill of Brazoria.	Stanfield.
Jones of Shelby.	West.
Kayton.	

Absent—Excused

Bradley.	Mathis.
Caven.	McDougald.
Fisher.	McKee.
Johnson	Shannon.
of Dimmit.	

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, March 10, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 38, A bill to be entitled "An Act amending Article 2956, by adding thereto another section, Article 2956-a, providing that persons who are feeble, ill, and confined in bed, or confined to their places of abode, by reason of illness, may vote as absentees may vote, under Article 2956; providing that persons who are ill, aged, or decrepit, and who are unable to walk to the polls, may be driven, in any vehicle, wheel chair, or other conveyance, to such voting place, and any election officer shall authorize such person to vote, and the means and manner thereof; providing exceptions, and for the general enforcement of the provisions hereof; and declaring an emergency."

S. B. No. 52, A bill to be entitled "An Act providing a method of securing service of process over foreign corporations engaged in, or desiring to do, business in the State of Texas; amending Article 1529 of the Revised

Civil Statutes of the State of Texas relating to the rights of foreign corporations to secure permits to do business in Texas, and repealing laws in conflict herewith; containing a saving clause; and declaring an emergency."

S. B. No. 54, A bill to be entitled "An Act amending Chapter 8, Title 42, of the Revised Statutes of 1925, by adding an article empowering the judge to change venue on his own motion; and declaring an emergency."

S. B. No. 127, A bill to be entitled "An Act amending Article 3773 of 1925 Civil Statutes, so as to provide that a judgment in courts of record will not become dormant where execution has issued on such judgment within ten years after its rendition; and declaring an emergency."

S. B. No. 172, A bill to be entitled "An Act amending Article 2039-a, Chapter 3, Title 42, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Forty-first Legislature, relating to the service of process on the State Highway Commissioner, and designating said officer as the agent for such purposes in suits against non-residents for injuries inflicted within this State by non-resident operators of motor vehicles or motorcycles, so as to extend, cover, and include not only the owners of said motor vehicles, but likewise their agents, servants, or employes operating the same; and providing for the service of such process on the State Highway Commissioner, and his successor in office, and providing for notice of the service thereof to be forwarded to the owner, his agent, servant, or employe; defining the duties of the Chairman of the State Highway Commission in such instances, and regulating the manner of taking judgment in such instances; and declaring an emergency."

S. B. No. 314, A bill to be entitled "An Act to prohibit the hunting, taking, shooting, or killing of any game bird, or any game animal, as defined in the laws of the State of Texas, in that part of Wichita County included within the following territory, to wit: Beginning at the center of the intersection of Tenth and Holliday Streets, in the City of Wichita Falls, Wichita County, Texas; thence in a southerly direction, down the center of said Holliday

Street, to the corporate limits of the City of Wichita Falls; thence along the center of what is known as the Jacksboro-Wichita Falls Highway, being State Highway No. 66, to the center of the public road intersecting said Highway No. 66, on the north line of the J. R. McDowell Survey, Abstract No. 194; thence west with the center of said public road, along the north line of the said McDowell Survey, and north line of the G. Reynolds Survey, Abstract No. 251, to the northwest corner of said G. Reynolds Survey, and a corner of the Wichita Falls State Hospital lands; thence south along the center of said public road to the south line of said State Hospital lands; thence west with the center of said public road, to where the same intersects the Wichita Falls and Archer City paved road, being State Highway No. 79, just south of the spillway of Lake Wichita; thence in a northerly direction along the center of said Highway No. 79, passing Lake Wichita pavillion grounds, to the corporate limits of the City of Wichita Falls, where said Highway No. 79 meets and enters Grant Street, in said City; thence in a northerly direction along the center of said Grant Street to the intersection of the same with Tenth Street, in the City of Wichita Falls; thence in an easterly direction, along the center of said Tenth Street, to the place of beginning, being the intersection of Tenth Street and Holliday Street, in the City of Wichita Falls; fixing penalty, and declaring an emergency."

H. B. No. 247, A bill to be entitled "An Act defining certain words, terms, and phrases for the purposes of this Act, providing and imposing an occupation tax on the first sale distribution or use of motor fuel in this State; providing certain exceptions, exemptions, and deductions from the tax hereby levied; providing for refunds of taxes paid in certain instances and under certain conditions, requiring distributors of motor fuel to obtain a permit, and to file with the Comptroller of Public Accounts a surety bond, or in lieu of bond, to deposit in a suspense account in the State Treasury an amount of money equal to the amount of bonds required; providing that any manufacturer or refiner may transfer the tax imposed upon the sale of casing-



head or natural gasoline to any distributor holding a permit as required by this Act upon certain conditions; regulating the issuance of such permits, and providing for and regulating the suspension and revocation of permits issued; providing for and requiring distributors of motor fuel to file new or additional bonds in certain instances; etc., and declaring an emergency." (With amendments.)

The Senate has concurred in House amendment to Senate Concurrent Resolution No. 18, by a viva voce vote.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### CONFERENCE COMMITTEE ON SENATE BILL NO. 421

On motion of Mr. Anderson of Bexar, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 421.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Anderson of Bexar, Greathouse, Pope, Savage, and Sullivant.

#### HOUSE BILL NO. 142 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 142, A bill to be entitled "An Act releasing the penalty and interest accrued and as now fixed by law on all State, county, special school, school district, road district, levee improvement district, and irrigation district taxes, and taxes of other defined subdivisions of the State; suspending all laws and parts of laws in conflict herewith during the term of this Act; and declaring an emergency."

The bill was read second time.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 142 by striking out all below and after the enacting clause, and substituting in lieu thereof the following:

"Section 1. Except as hereinafter provided, all interest and penalties

that have accrued, or that may accrue, on or before February 1, 1933, on ad valorem and poll taxes that are delinquent on or before February 1, 1933, due the State, any county, special school district, independent school district, common school district, school district, road district, levee improvement district, water improvement district, water control and improvement district, irrigation district, drainage district, navigation district, and other defined subdivisions of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns, and villages), shall be, and the same are hereby, released, subject to the provisions hereinafter set out.

"The maturity date of all ad valorem and poll taxes, which were delinquent on and prior to February 1, 1933, is hereby extended to the dates and times hereinafter set out, subject, however, to the following conditions and contingencies:

"One-tenth of said ad valorem and poll taxes, which were delinquent on February 1, 1933, exclusive of penalties and interest already accrued, which are herein released, shall be paid on or before June 15, 1933, without interest or penalty. The remainder of said ad valorem and poll taxes, on which penalties and interest are released at the beginning of this section, may be paid in nine semi-annual installments, one of which shall be due on or before the fifteenth of November, 1933, and one each on the fifteenth of June, and the fifteenth of November, of each of the years of 1934, 1935, 1936, and 1937, with interest at the rate of 6 per cent per annum, from February 1, 1933, on the principal sum of each installment; provided, however, that if the first installment is not paid on or before June 15, 1933, as above-provided, then, and in that event, two-tenths of the total amount of ad valorem and poll taxes, on which the penalties and interest are released at the beginning of this section, shall be paid on or before November 15, 1933, with interest on said two-tenths at the rate of 6 per cent per annum from February 1, 1933. Provided, however, that any such semi-annual installment provided for, shall not be

less than one-tenth of the principal amount of ad valorem and poll taxes due, exclusive of interest as herein provided for.

"It is specifically provided that the penalties and interest herein released on delinquent taxes are released, contingent upon the payment of said delinquent taxes, in accordance with the provisions of this Act, and the failure to pay two-tenths of said delinquent taxes on or before November 15, 1933, or one installment on any due date thereafter, as herein provided, shall at once make all installments due and delinquent, and subject to the general laws of the State of Texas, which govern the collection of delinquent taxes.

"Sec. 2. It is hereby specifically provided that the payment of all delinquent taxes affected by this Act shall be allowed on or before June 15, 1933, without interest or penalty, or on or before November 15, 1933, with interest at 6 per cent per annum from February 1, 1933. Thereafter, it shall be allowable to pay the total amount of said delinquent taxes at one time with interest at 6 per cent per annum from February 1, 1933, provided, the provisions of Section 1 of this Act have been complied with up to the date of such payment of the entire balance due.

"Sec. 3. It is provided that the provisions of this Act shall not apply to cities, towns, and villages, unless and until the governing body of any such city, town, or village finds that unusual or excessive default in the payment of ad valorem or poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and/or poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution, or ordinance, evidencing such findings, and upon the recording of such findings of fact, the provisions of this Act shall be in full force and effect as to any city, town, or village.

"Sec. 4. In all cases where suits for the collection of delinquent taxes owing to the State, and any county in this State, have been heretofore filed and are now pending, or which may be hereafter filed and pending, on the docket of any district court in this State, and the court shall dismiss or abate same upon motion of the defendant, or of the county attorney, no

costs of court nor any fees arising out of or incident to said suit, shall be adjudged against any defendant or any property involved in such suit.

"Sec. 5. All laws or parts of laws in conflict herewith are hereby expressly suspended during the term of this Act, so far as they may affect this Act, except where there is failure to meet the provisions of this Act, which exception is contained in the last paragraph of Section 1 of this Act.

"Sec. 6. It is provided further, that in the event any section, clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operation to the section, clause, sentence, paragraph, or part thereof directly involved in the controversy in which said judgment shall have been rendered.

"Sec. 7. Immediately upon the taking effect of this Act, the State Comptroller shall prepare forms and instructions for the various tax collectors of this State, looking to the efficient and uniform enforcement of this Act, and shall forward a copy of such forms and instructions to each tax collector in this State within ten days after the taking effect of this Act; and it shall be the duty of each and every tax collector of this State to adopt said forms in compliance with said rules and regulations of the State Comptroller, so far as the same may be practical.

"Sec. 8. The widespread inability of property owners to meet the whole of their tax obligations at one time, and the steadily mounting total of delinquent taxes, create an emergency and an imperative public necessity that the constitutional rule, requiring all bills to be read on three several days in each House, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage; and it is so enacted."

Signed—Leonard, Dunagan, Haag, Weinert, Morrison, Hoskins, Engelhard, Canon, Hodges, Kyle of Hays, McClain.

Mr. Smith offered the following amendment to the amendment:

Amend amendment to House Bill No. 142, second line in Section 1, by adding after the word "penalties" the words "and all costs."

The amendment by Mr. Smith was adopted.

Question—Shall the amendment by Mr. Leonard be adopted?

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, March 10, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate Bill No. 421, and requests the appointment of a conference committee.

The following have been appointed on the part of the Senate: Senators Moore, Hopkins, Woodward, Woodruff, and Purl.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### BILL AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolutions:

H. B. No. 131, "An Act to establish and create a criminal judicial district and a criminal district court for Bexar County; providing for the jurisdiction of, and procedure in, said court; fixing the time for holding the terms of said court; providing for the election, tenure of office, qualifications, duties, powers, and compensation of a judge of said court; etc."

H. C. R. No. 5, To grant J. D. Davis permission to sue the State.

H. C. R. No. 13, To grant the Central Supply House, Incorporated, permission to sue the State.

H. C. R. No. 16, To grant Mrs. Agatha Harris permission to sue the State.

H. C. R. No. 25, To grant J. F. Cage and T. C. Cage permission to sue the State.

H. C. R. No. 26, Granting permission to Wm. Heuermann and J. A. Miller to sue the State.

H. C. R. No. 39, Extending a welcome to Pan-American Medical Association.

S. C. R. No. 18, Endorsing former Governor Nellie Tayloe Ross for certain position.

#### RECESS

On motion of Mr. Morse, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### HOUSE BILL NO. 142 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 142, relative to the payment of interest and penalties on ad valorem taxes, on its passage to engrossment; the bill having heretofore been read second time, with amendment by Mr. Leonard, pending.

Mr. Leonard offered the following amendment to the amendment:

Amend the amendment to House Bill No. 142 so as to provide that the provisions of the Act shall be optional with the governing bodies of all political subdivisions, except counties.

Mr. Pope moved a call of the House for the purpose of maintaining a quorum, pending consideration of House Bill No. 142, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Greathouse, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

Question recurring on the amendment, by Mr. Leonard, to the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—76

Adamson.	Kyle of Hays.
Aikin.	Laird.
Alsup.	Lemens.
Anderson	Leonard.
of Bexar.	Long.
Anderson	Mackay.
of Johnson.	McCullough.
Barron.	Merritt.
Beck.	Metcalle.
Bedford.	Moore.
Bourne.	Morrison.
Burns.	Morse.
Calvert.	Munson.
Camp.	Nicholson.
Canon.	Palmer.
Cathey.	Pope.
Chastain.	Ratliff.
Clayton.	Reed of Bowie.
Daniel.	Riddle.
Davidson.	Rogers of Hunt.
Dean.	Rogers
Dwyer.	of Ochiltree.
Engelhard.	Rollins.
Fain.	Ross.
Fuchs.	Savage.
Glass.	Scott.
Golson.	Smith.
Goodman.	Steward.
Graves.	Stinson.
Greathouse.	Tennyson.
Griffith.	Tillery.
Harman.	Townsend.
Harrison.	Turlington.
Hester.	Vaughan.
Hill of Webb.	Wagstaff.
Huddleston.	Walker.
Jackson.	Winningham.
James.	Wood.
Jones of Atascosa.	Young.
Kayton.	

## Nays—19

Baker.	Hunt.
Barrett.	Jones of Runnels.
Crossley.	McClain.
Dunagan.	Pavlica.
Few.	Puryear.
Ford.	Reed of Dallas.
Hicks.	Scarborough.
Hodges.	Stovall.
Holekamp.	Tarwater.
Hughes.	

## Present—Not Voting

Mr. Speaker.	Moffett.
Dunlap.	Sullivant.
Holloway.	

## Absent

Alexander.	Cowley.
Butler.	Devall.
Colson.	Duvall.
Coombes.	Good.

Haag.	McGregor.
Hankamer.	Mitcham.
Harris.	Parkhouse.
Hartzog.	Patterson.
Head.	Ramsey.
Hill of Brazoria.	Ray.
Holland.	Reader.
Hoskins.	Renfro.
Hyder.	Roberts.
Johnson	Russell.
of Anderson.	Shults.
Jones of Shelby.	Stanfield.
Kyle of Palo Pinto.	Thomas.
Latham.	Van Zandt.
Lindsey.	Weinert.
Lotief.	Wells.
Magee.	West.

## Absent—Excused

Bradley.	Mathis.
Caven.	McDougald.
Fisher.	McKee.
Jefferson.	Shannon.
Johnson	
of Dimmit.	

Mr. Leonard offered the following amendment to the amendment:

Amend the amendment to House Bill No. 142 by changing the delinquent date of "February 1, 1933" to "July 1, 1933," and by changing the date "June 15," wherever it appears, to "July 15," and by changing the date "November 15," wherever it appears, to "December 15."

The amendment was adopted.

Mr. Steward offered the following amendment to the amendment:

Amend the amendment to House Bill No. 142 by providing that the provisions thereof shall only apply to taxes delinquent for the years 1931 and 1932.

Mr. Leonard offered the following substitute for the amendment by Mr. Steward:

Amend the amendment to House Bill No. 142 by inserting the words "for any one or more years" after the word "taxes," in the last line on page 2.

The substitute amendment was adopted.

The amendment as substituted was then adopted.

Mr. Rogers of Ochiltree offered the following amendment to the amendment:

Amend the amendment to House Bill No. 142 by providing that the

provisions thereof shall only apply to taxes delinquent for the years 1930, 1931, and 1932.

The amendment was lost.

Mr. Leonard offered the following amendment to the amendment:

Amend the amendment to House Bill No. 142 by striking out the word "were," in the second line of the third paragraph of Section 1, and substitute therefor the words "will be."

The amendment was adopted.

Mr. Dean offered the following amendment to the amendment:

Amend the amendment to House Bill No. 142 by striking out all of paragraph 3, of Section 1, including the word "accrued," and substituting the following: "One-tenth of all said ad valorem and poll taxes, which were delinquent, or will be delinquent, on July 1, 1933, inclusive of interest on such amount from the dates of such delinquencies, at the rate of 6 per cent per annum, and exclusive of any penalty which may have accrued."

The amendment was lost.

Mr. Leonard offered the following amendment to the amendment:

Amend the amendment to House Bill No. 142 by striking out the word and figures "February 1, 1933," wherever they appear, and insert in lieu thereof the word and figures "July 1, 1933."

The amendment was adopted.

Mr. Tennyson offered the following substitute for the amendment by Mr. Leonard:

Substitute for amendment to House Bill No. 142, by striking out all below the enacting clause, and insert the following:

"Section 1. That all interest and penalties that have accrued, or that may accrue, on ad valorem and poll taxes that were delinquent on or before February 1, 1931, due the State, any county, common school district, road district, levee improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes

due cities, towns, and villages, and special school districts, and independent school districts), shall be, and the same are hereby, released, provided, said ad valorem and poll taxes are paid on or before September 1, 1933; and that all interest and penalties that may have accrued, or that may accrue, on ad valorem and poll taxes that became delinquent after February 1, 1931, and on or before February 1, 1933, due the State, any county, common school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivision of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns, and villages, and special school districts, and independent school districts), shall be, and the same are hereby, released, provided said ad valorem and poll taxes are paid on or before November 1, 1933. It is provided that the provisions hereof shall not apply to cities, towns, and villages, and special districts, and independent school districts, unless and until the governing body of any such city, town, or village, or special school district, or independent school district finds that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution, or ordinance, evidencing such finding, and upon the recording of such findings of fact, the provisions of this Act shall be in full force and effect as to any such city, town, or village, or special school district, or independent school district.

"Sec. 2. All laws and parts of laws in conflict herewith are hereby expressly suspended during the term of this Act so far as they may affect this Act.

"Sec. 3. It is provided further, that in case any section, clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent or final jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate

the remainder of this Act, but shall be confined in its operation to the section, clause, sentence, paragraph, or part thereof directly involved in the controversy in which said judgment shall have been rendered.

"Sec. 4. The fact that millions of dollars in taxes are now due, and have been due to the State, and its subdivisions, for many years past, by people who would meet their obligations to the State Government, if the heavy costs and penalties and interest were omitted, creates an emergency and an imperative public necessity demanding that the constitutional rule, which requires all bills to be read on three several days in each House, be suspended, and said rule is hereby suspended, and said Act shall be in force and take effect from and after its passage, and it is so enacted."

TENNYSON,  
AIKIN,  
SULLIVANT,  
CANON,  
METCALFE.

On motion of Mr. Jones of Atascosa, the substitute amendment was tabled.

Mr. Sullivant offered the following substitute for the amendment by Mr. Leonard:

Substitute for amendment amending House Bill No. 142 by striking out all after the enacting clause, and insert in lieu thereof the following:

"Section 1. That all interest and penalties that have accrued, or that may accrue, on ad valorem and poll taxes that are delinquent on or before October 20, 1933, due the State, any county, special school district, school district, road district, levee improvement district, water improvement district, and water control and improvement district, irrigation district, and other defined subdivisions of the State (and, subject to the provisions hereinbefore and hereinafter contained, such interest and penalties on delinquent ad valorem and poll taxes due cities, towns, and villages), shall be, and the same are hereby, released, provided said ad valorem and poll taxes are paid on or before January 31, 1934. It is provided that the provisions hereof shall not apply to cities, towns, and villages, special school districts, or independent school dis-

tricts, unless and until the governing body of any such cities, towns, or villages, special school districts, or independent school districts, find that unusual or excessive default in the payment of ad valorem and poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution, or ordinance, evidencing such finding, and upon the recording of such findings of fact, the provisions of this Act shall be in full force and effect as to any such cities, towns, or villages.

"Sec. 2. All laws and parts of laws in conflict herewith are hereby expressly suspended during the term of this Act so far as they may affect this Act.

"Sec. 3. The fact that millions of dollars in taxes are now due, and that the taxpayers are not able to meet their obligations to the State Government, and the further fact that the calendar is crowded, create an emergency and an imperative public necessity, demanding that the constitutional rule, requiring all bills to be read on three several days in each House, be suspended, and the said rule is hereby suspended, and this Act shall be in force and take effect from and after its passage; and it is so enacted."

SULLIVANT,  
ANDERSON of Bexar,  
TENNYSON,  
METCALFE.

Mr. Leonard moved to table the substitute amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—48

Bourne.  
Calvert.  
Camp.  
Clayton.  
Coombes.  
Crossley.  
Davidson.  
Dwyer.  
Engelhard.  
Fain.  
Few.  
Glass.

Goodman.  
Greathouse.  
Hester.  
Hill of Webb.  
Holekamp.  
Huddleston.  
James.  
Jones of Atascosa.  
Jones of Runnels.  
Kayton.  
Kyle of Hays.  
Leonard.

Mackay.	Rogers
McClain.	of Ochiltree.
McCullough.	Scott.
Nicholson.	Smith.
Palmer.	Stinson.
Patterson.	Stovall.
Pope.	Tarwater.
Reader.	Tillery.
Reed of Bowie.	Townsend.
Reed of Dallas.	Turlington.
Riddle.	Vaughan.
Rogers of Hunt.	Walker.
	Young.

## Nays—53

Adamson.	Jones of Shelby.
Aikin.	Laird.
Alsup.	Lemens.
Baker.	Lindsey.
Barrett.	Long.
Barron.	Merritt.
Beck.	Metcalfe.
Bedford.	Moore.
Burns.	Morrison.
Canon.	Morse.
Cathey.	Munson.
Chastain.	Pavlica.
Daniel.	Puryear.
Dean.	Ramsey.
Devall.	Ratliff.
Dunagan.	Rollins.
Ford.	Ross.
Golson.	Savage.
Graves.	Scarborough.
Griffith.	Steward.
Hartzog.	Sullivan.
Hicks.	Tennyson.
Hodges.	Thomas.
Holloway.	Wagstaff.
Hughes.	Winningham.
Hunt.	Wood.
Jackson.	

## Present—Not Voting

Anderson	Dunlap.
of Bexar.	Fuchs.
Anderson	Moffett.
of Johnson.	

## Absent

Alexander.	Hoskins.
Butler.	Hyder.
Colson.	Johnson
Cowley.	of Anderson.
Duvall.	Kyle of Palo Pinto.
Good.	Latham.
Haag.	Lotief.
Hankamer.	Magee.
Harman.	McGregor.
Harris.	Mitcham.
Harrison.	Parkhouse.
Head.	Ray.
Hill of Brazoria.	Renfro.
Holland.	Roberts.

Russell.	Weinert.
Shults.	Wells.
Stanfield.	West.
Van Zandt.	

## Absent—Excused

Bradley.	Mathis.
Caven.	McDougald.
Fisher.	McKee.
Jefferson.	Shannon.
Johnson	
of Dimmit.	

Question then recurring on the amendment by Mr. Sullivan, it was lost.

Question next recurring on the amendment by Mr. Leonard, it was adopted.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 142 by striking out the caption, and inserting in lieu thereof the following caption:

"H. B. No. 142,

## A BILL

## To Be Entitled

An Act to release the penalties and interest on all ad valorem and poll taxes delinquent on or before July 1, 1933, due the State and/or any county, and, subject to the provisions of this Act, any city, town, village, special school districts, independent school districts, common school districts, school district, road district, levee improvement district, irrigation district, drainage district, navigation district, and other defined subdivisions of the State, contingent upon the payment of such ad valorem and poll taxes, as provided in this Act; extending the maturity date of all taxes delinquent on and prior to July 1, 1933, subject to the provisions of this Act; providing the means of payment of such taxes in a lump sum or in installments; providing penalties for failure to meet the provisions of this Act; providing for the release of defendants in tax suits from fees and costs in cases where such suits are dismissed or abated; providing for the validity of this Act in event any portion should be adjudged invalid; providing for the suspension of all laws in conflict with this Act during the

period covered hereby; directing the State Comptroller to furnish the tax collectors of the various counties with forms, and declaring an emergency."

Signed—Leonard, Dunagan, Haag, Weinert, Morrison, Hoskins, Engelhard, Canon, Hodges, Kyle of Hays, McClain.

The amendment was adopted.

House Bill No. 142 was then passed to engrossment.

### HOUSE BILL NO. 142 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 142 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—87

Alsup.	Hodges.
Anderson	Holekamp.
of Bexar.	Holloway.
Anderson	Huddleston.
of Johnson.	Hughes.
Barrett.	James.
Barron.	Jones of Atascosa.
Bourne.	Jones of Runnels.
Burns.	Jones of Shelby.
Calvert.	Kayton.
Camp.	Kyle of Hays.
Canon.	Laird.
Cathey.	Lemens.
Chastain.	Leonard.
Clayton.	Lindsey.
Coombes.	Long.
Crossley.	Mackay.
Daniel.	McClain.
Davidson.	McCullough.
Dean.	Merritt.
Devall.	Morrison.
Dunagan.	Nicholson.
Dwyer.	Palmer.
Engelhard.	Patterson.
Fain.	Pavlica.
Few.	Pope.
Ford.	Puryear.
Fuchs.	Ramsey.
Glass.	Ratliff.
Golson.	Reader.
Goodman.	Reed of Dallas.
Graves.	Riddle.
Greathouse.	Rogers of Hunt.
Griffith.	Rogers
Harrison.	of Ochiltree.
Hartzog.	Ross.
Hester.	Savage.
Hicks.	Scarborough.
Hill of Webb.	Scott.

Smith.  
Stinson.  
Stovall.  
Tarwater.  
Thomas.  
Tillery.

Townsend.  
Turlington.  
Vaughan.  
Wagstaff.  
Walker.  
Young.

Nays—16

Adamson.  
Aikin.  
Baker.  
Beck.  
Bedford.  
Hunt.  
Jackson.  
Metcalf.

Moffett.  
Morse.  
Munson.  
Rollins.  
Steward.  
Sullivant.  
Tennyson.  
Wood.

Present—Not Voting

Winningham.

Absent

Alexander.	Latham.
Butler.	Lotief.
Colson.	Magee.
Cowley.	McGregor.
Dunlap.	Mitcham.
Duvall.	Moore.
Good.	Parkhouse.
Haag.	Ray.
Hankamer.	Reed of Bowie.
Harman.	Renfro.
Harris.	Roberts.
Head.	Russell.
Hill of Brazoria.	Shults.
Holland.	Stanfield.
Hoskins.	Van Zandt.
Hyder.	Weinert.
Johnson	Wells.
of Anderson.	West.
Kyle of Palo Pinto.	

Absent—Excused

Bradley.	Mathis.
Caven.	McDougald.
Fisher.	McKee.
Jefferson.	Shannon.
Johnson of Dimmit.	

The Speaker then laid House Bill No. 142 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—97

Adamson.	Bourne.
Alsup.	Burns.
Anderson	Calvert.
of Bexar.	Camp.
Anderson	Canon.
of Johnson.	Cathey.
Barrett.	Chastain.
Barron.	Clayton.



Coombes.	McCullough.
Daniel.	Merritt.
Davidson.	Metcalfe.
Dean.	Moffett.
Devall.	Moore.
Dunlap.	Morrison.
Dunagan.	Nicholson.
Dwyer.	Palmer.
Engelhard.	Parkhouse.
Fain.	Patterson.
Few.	Pavlica.
Fuchs.	Pope.
Glass.	Puryear.
Golson.	Ramsey.
Goodman.	Ratliff.
Greathouse.	Reader.
Griffith.	Reed of Bowie.
Harman.	Reed of Dallas.
Harrison.	Riddle.
Hartzog.	Rogers of Hunt.
Hester.	Rogers
Hicks.	of Ochiltree.
Hill of Webb.	Rollins.
Hodges.	Ross.
Holekamp.	Savage.
Holloway.	Scarborough.
Huddleston.	Scott.
Hughes.	Smith.
Jackson.	Steward.
James.	Stinson.
Jones of Atascosa.	Stovall.
Jones of Runnels.	Sullivant.
Jones of Shelby.	Tarwater.
Kayton.	Tennyson.
Kyle of Hays.	Thomas.
Laird.	Townsend.
Lemens.	Turlington.
Leonard.	Vaughan.
Lindsey.	Wagstaff.
Long.	Walker.
Mackay.	Weinert.
McClain.	Young.

## Nays—11

Aikin.	Graves.
Baker.	Hunt.
Beck.	Morse.
Bedford.	Munson.
Crossley.	Wood.
Ford.	

## Present—Not Voting

Tillery.	Winningham.
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## Absent

Alexander.	Holland.
Butler.	Hoskins.
Colson.	Hyder.
Cowley.	Johnson
Duvall.	of Anderson.
Good.	Kyle of Palo Pinto.
Haag.	Latham.
Hankamer.	Lotief.
Harris.	Magee.
Head.	McGregor.
Hill of Brazoria.	Mitcham.

Ray.	Stanfield.
Renfro.	Van Zandt.
Roberts.	Wells.
Russell.	West.
Shults.	

## Absent—Excused

Bradley.	Mathis.
Caven.	McDougald.
Fisher.	McKee.
Jefferson.	Shannon.
Johnson	
of Dimmit.	

Mr. Leonard moved to reconsider the vote by which the bill was passed, and asked to have the motion to reconsider spread on the Journal.

Mr. Leonard gave notice that he would, on next Monday, call up the motion to reconsider.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, March 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 143, A bill to be entitled "An Act to amend Article 2938, of the Revised Civil Statutes of Texas, 1925, relating to the appointment of election judges and clerks in election precincts where there are one hundred citizens or more who have paid their poll tax or received their certificates of exemption, providing that the presiding judge appointed shall, in all cases, belong to the party that, at the last general election, cast the largest vote for Governor throughout the State."

S. B. No. 248, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State of Texas for the balance of the fiscal year ending August 31, 1933, and declaring an emergency."

S. B. No. 372, A bill to be entitled "An Act permitting appeals from orders and judgments of trial courts granting or refusing the appointment of receivers; providing for the perfection of such appeals; specifying the time for filing record in the Court of Civil Appeals, and the contents of such record; providing for filing of

briefs for advancing the cause on the docket of the appellate court, and for appointment of receiver in the appellate court, or for remanding such cause with instructions; and declaring an emergency."

S. B. No. 374, A bill to be entitled "An Act fixing the term of office of school trustees of independent school districts, heretofore created by special acts of the Legislature, having the board of seven trustees, and having included within their boundaries a city whose population was in excess of two hundred thousand, as shown by the last preceding Federal Census; adjusting the terms of office of trustees to conform to the provisions of this Act; providing for the election of trustees of such independent school districts; providing for the filling of all vacancies in the office of trustees of such districts; and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 38, to the Committee on Privileges, Suffrage, and Elections.

Senate Bill No. 248, to the Committee on Appropriations.

Senate Bill No. 52, to the Committee on Judiciary.

Senate Bill No. 54, to the Committee on Judiciary.

Senate Bill No. 314, to the Committee on Game and Fisheries.

Senate Bill No. 127, to the Committee on Judiciary.

Senate Bill No. 172, to the Committee on Judiciary.

Senate Bill No. 374, to the Committee on Education.

Senate Bill No. 143, to the Committee on Privileges, Suffrage, and Elections.

Senate Bill No. 372, to the Committee on Judiciary.

#### ADJOURNMENT

On motion of Mr. Fuchs, the House, at 4 o'clock p. m., adjourned until 10 o'clock a. m., next Monday.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Education: House Bill No. 322.

Public Health: House Bill No. 798.

The Committee on Public Health filed adverse reports on House Bills Nos. 326, 445, 605, and 657.

The Committee on Insurance filed an adverse report, with a minority favorable report, on House Bill No. 649.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, March 7, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 169, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them, for the two fiscal years, September 1, 1933, to August 31, 1935, inclusive, etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, March 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 5, Granting J. D. Davis permission to sue the State,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, March 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 13, Granting Central Supply House, Inc., Dallas, Texas, permission to sue the State,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, March 10, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 16, Proposing to grant to Mrs. Agatha Harris, widow of Curtis M. Harris, deceased, permission to bring suit against the State of Texas, to determine the damages, if any, suffered because of the death of Curtis M. Harris, her husband, while in the employment of the State Hospital at San Antonio, Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, March 10, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 25, Granting permission to Cage Brothers, a firm composed of J. F. Cage and T. C. Cage, or its assigns, to bring suit against the State Highway Department of Texas and the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, March 10, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 26, Granting permission to Heuermann and Miller, a firm composed of William Heuermann and J. A. Miller, or its assigns, to bring suit against the State Highway Department of Texas and the State of Texas,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, March 10, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 39, Extending welcome to the members of the Pan-American Medical Association,

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

Committee Room,  
Austin, Texas, March 10, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 131, "An Act to establish and create a Criminal Judicial District and a Criminal District Court for Bexar County; providing for the jurisdiction of, and procedure in, said Court; fixing the time for holding the terms of said Court; providing for the election, tenure of office, qualifications, duties, powers, and compensation of a Judge of said Court; abolishing the Ninety-fourth Judicial District of Texas, and the office of the District Judge of the Ninety-fourth Judicial District of Texas, and providing for the transfer of all cases pending in said Court and Thirty-seventh District Court when this Act becomes effective; validating all bonds, recognizances, writs, and process of every kind, issued out of, or made returnable to, the District Court of the Ninety-fourth and Thirty-seventh Judicial Districts, making the same returnable to the Criminal District Court of Bexar County; providing that the Sheriff and District Clerk of Bexar County shall be the officers of said Court, in their respective capacities, under the same rules and regulations as are now, or may hereafter be, prescribed by law for the governing of such officers; providing for the fees of such officers; abolishing the office of District Attorney of the Thirty-seventh Judicial District of Texas; abolishing the office of County Attorney of Bexar County; and creating the office of Criminal District Attorney of Bexar County, providing for the election, tenure of office, and prescribing the qualifications, powers, duties, compensation, and expense of said office;

providing for the appointment of court bailiffs, and their compensation, and removal; providing for the appointment of assistants, investigators, and stenographers by the Criminal District Attorney of Bexar County; providing for their compensation; prescribing their powers and duties; providing when this Act shall go into effect; providing that if any part of this Act be held invalid the remainder shall be valid; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

MORRISON, Vice-Chairman.

### THIRTY-FIFTH DAY

(Monday, March 13, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

Mr. Speaker.	Glass.
Adamson.	Good.
Aikin.	Goodman.
Alexander.	Graves.
Alsup.	Greathouse.
Anderson	Griffith.
of Johnson.	Haag.
Baker.	Hankamer.
Barrett.	Harman.
Barron.	Harris.
Beck.	Harrison.
Bedford.	Hartzog.
Bourne.	Head.
Burns.	Hester.
Butler.	Hicks.
Calvert.	Hill of Brazoria.
Camp.	Hill of Webb.
Canon.	Hodges.
Cathey.	Holekamp.
Chastain.	Holland.
Clayton.	Holloway.
Colson.	Hoskins.
Cowley.	Huddleston.
Crossley.	Hughes.
Daniel.	Hunt.
Davidson.	Hyder.
Dean.	Jackson.
Devall.	James.
Dunlap.	Jefferson.
Dunagan.	Johnson
Dwyer.	of Anderson.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Runnels.
Fisher.	Jones of Shelby.
Ford.	Kayton.
Fuchs.	Kyle of Hays.

Kyle of Palo Pinto.	Renfro.
Laird.	Riddle.
Latham.	Roberts.
Lemens.	Rogers of Hunt.
Leonard.	Rogers
Lindsey.	of Ochiltree.
Long.	Rollins.
Lotief.	Ross.
Magee.	Russell.
Mackay.	Savage.
McCullough.	Scarborough.
McDougald.	Scott.
McGregor.	Shannon.
McKee.	Shults.
Merritt.	Smith.
Metcalfe.	Steward.
Mitcham.	Stinson.
Moffett.	Stovall.
Moore.	Sullivant.
Morrison.	Tarwater.
Morse.	Tennyson.
Munson.	Thomas.
Nicholson.	Tillery.
Palmer.	Townsend.
Parkhouse.	Turlington.
Patterson.	Van Zandt.
Pavlica.	Vaughan.
Pope.	Wagstaff.
Puryear.	Walker.
Ramsey.	Weinert.
Ratliff.	Wells.
Ray.	Winningham.
Reader.	Wood.
Reed of Bowie.	Young.
Reed of Dallas.	

#### Absent

Duvall.	West.
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#### Absent—Excused

Anderson	Golson.
of Bexar.	Johnson
Bradley.	of Dimmit.
Caven.	Mathis.
Coombes.	McClain.
Few.	Stanfield.

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

#### LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Stanfield for today, on motion of Mr. Greathouse.

Mr. Caven for today, on motion of Mr. Beck.

Mr. Few for today, on motion of Mr. Puryear.